

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JULIE CARTER,)	
)	
Plaintiff,)	4:08CV3085
)	
v.)	
)	MEMORANDUM
STEPHEN BAILEY and KEITH)	AND
YARBROUGH,)	ORDER TO SHOW CAUSE
)	
Defendants.)	
_____)	

Defendant Stephen Bailey has responded to the court's scheduling packet by faxing a letter to the undersigned in which he says he received an email from Kristina Teague (who is not further identified) in which she says she has "advised my client, Julie, to consult a criminal attorney...." The letter from Mr. Bailey does not identify what criminal matters may be pending against "Julie," nor against defendant, and since private individuals are not generally empowered to instigate criminal proceedings, it is not at all clear how any such matters may touch upon this case. Although Mr. Bailey concludes that this information "impedes my ability to work with or discuss this matter with plaintiff's counsel," there is no explanation of how this is so.

The parties must be reminded that Rule 26(f) places the burden on all counsel and parties appearing without counsel to complete the parties' planning report together. The Federal Rules of Civil Procedure also provide for the imposition of sanctions against a party and/or attorney who fails to do so.

IT THEREFORE HEREBY IS ORDERED,

Plaintiff's counsel and defendant (or his attorney, should he hire one) are given until December 29, 2008 to meet and confer in accordance with [Fed. R. Civ. P. 26\(f\)](#) and file their joint report of planning meeting, or alternatively to show cause why sanctions should not be imposed for their failure to do so.

DATED this 17th day of December, 2008.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge